

BRIAN SANDOVAL
Governor

STATE OF NEVADA



MEMBERS

Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING August 21, 2013

REPLY TO:

Southern Nevada
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

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Northern Nevada
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

CALL TO ORDER:

Adjudicating Board Member Stephen Quinn called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, August 21, 2013, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

ADJUDICATING BOARD MEMBER PRESENT:

Mr. Stephen Quinn

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Richard Scotti, Esq., Legal Counsel
Mr. Jonathan Andrews, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on August 15, 2013, at Las Vegas City Hall, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADJUDICATING BOARD MEMBER: Stephen Quinn

1. DISCIPLINARY HEARING: (Continued from March 20, 2013 and June 19, 2013)

ITAL STONE, INC., License Nos. 53369, 58861

STONE INDUSTRIES OF AMERICA, LLC, License Nos. 75856, 75857

Licensees were present and represented by Linda Sager, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 3 – Respondent's signed Confession to Judgment.

Adjudicating Committee Member Quinn suspended Stone Industries of America, LLC's licenses, numbers 75856 and 75857 until they can provide a current compiled financial statement prepared by a certified public accountant with bank verification forms for all cash accounts that support their license limits.

2. DISCIPLINARY HEARING:

COAST TO COAST ELECTRICAL CONTRACTORS, LLC, License No. 72419

Licensee was present but not represented by counsel at the hearing.

Adjudicating Committee Member Quinn continued this matter to October 23, 2013. Respondent was ordered to provide an Answer to the Board's Complaint, a financial statement, and proof of reinstatement to the licensing bond and Secretary of State within 45 days of the August 21, 2013 hearing.

3. DISCIPLINARY HEARINGS:

THE ANTHONY COMPANIES, INC., dba IMAGINE FLOORING & DESIGN, License Nos. 55193, 56653

Licensee was present but not represented by counsel at the hearing.

Adjudicating Committee Member Quinn continued this matter to October 23, 2013.

4. DISCIPLINARY HEARINGS:

HOUSTON DRYWALL, INC., License No. 70296

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Adjudicating Committee Member Quinn found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(2) failure to comply with a written citation within the time permitted for compliance as set forth in the citation. Respondent was assessed a fine of \$100.00 for the Second Cause of Action; a fine of \$500.00 each for the Third and Fourth Causes of Action for total fines of \$1,100.00 and investigative costs of \$1,715.00. Fines were not assessed for the First and Fifth Causes of Action. Respondent was ordered to pay the administrative fines of \$1,000.00 and investigative costs of \$750.00 from Administrative Citation #C-1303-2054. All fines and investigative costs are to be paid within sixty (60) days of the August 21, 2013 hearing. If fines and costs are timely paid, the Board shall accept the voluntary surrender of license number 70296, Houston Drywall, Inc. If fines and costs are not timely paid, license number 70296, Houston Drywall, Inc. shall be revoked.

5. DISCIPLINARY HEARINGS:

ROGERS WATER CONDITIONING, INC., License No. 60832

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated July 30, 2013.

Exhibit B – Respondent's letter to the Board dated August 21, 2013.

Adjudicating Committee Member Quinn continued this matter to October 23, 2013.

6. DISCIPLINARY HEARINGS: (Stipulated Revocation)**a. SILVER STATE STEEL GROUP, INC., dba SILVER STATE ORNAMENTAL IRON,** License No. 54299

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's letter to the Board stipulating to the revocation of the license dated June 6, 2013.

Adjudicating Committee Member Quinn continued this matter to October 23, 2013. The Respondent was ordered to provide the requested documents to the Board within thirty (30) days of the August 21, 2103 hearing. License number 54299, Silver State Steel Group, Inc., dba Silver State Ornamental Iron was suspended, Board Action.

b. R. K. MARKETING CO., INC., dba ACCENT AWNINGS CO., License No. 51012

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's letter to the Board stipulating to the revocation of the license due to the death of Karl Desmarais, President of R. K. Marketing Co., Inc.

Adjudicating Committee Member Quinn accepted the stipulated revocation of license number 51012, R. K. Marketing Co., Inc., dba Accent Awnings Co. and dismissed all Causes of Action.

7. DISCIPLINARY HEARINGS – DEFAULT ORDERS:**a. NEWMEX IRONWORKS,** License No. 72309

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Adjudicating Committee Member Quinn found Respondent Newmex Ironworks, license number 72309 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board; one (1) violation of NRS 624.3013(2) misrepresentation of a material fact by a licensee in connection with any information furnished the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$100.00 for the First Cause of Action; a fine of \$250.00 each for the Second, Third, Fourth and Sixth Causes of Action; a fine of \$1,000.00 for the Fifth Cause of Action; a fine of \$500.00 for the Seventh Cause of Action for total fines

of \$2,600.00 and investigative costs of \$1,806.00. License number 72309, Newmex Ironworks was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

b. TITAN PLUMBING AND MECHANICAL, LLC, License No. 73450

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Adjudicating Committee Member Quinn found Respondent Titan Plumbing and Mechanical, LLC, license number 73450 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$1,000.00 for the Second Cause of Action; a fine of \$250.00 for the Third Cause of Action for total fines of \$1,750.00 and investigative costs of \$1,609.00. License number 73450, Titan Plumbing and Mechanical, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

c. J. KOM, LLC, License No. 76013

Licensee was not present nor represented by counsel at the hearing.

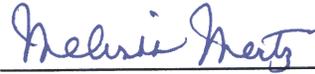
The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Adjudicating Committee Member Quinn found Respondent J. Kom, LLC, license number 76013 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 each for the First and Second Causes of Action for total fines of \$1,000.00 and investigative costs of \$1,442.00. License number 76013, J. Kom, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

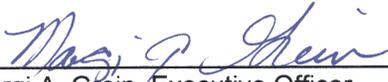
There being no further business to come before the Board, the meeting was adjourned by Adjudicating Committee Member Quinn at 11:59 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Stephen Quinn, Adjudicating Committee Member